

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MEGHAN DONOHUE, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

REGIONAL ADJUSTMENT BUREAU
INC.;
ENTERPRISE RECOVERY SYSTEMS,
INC.;
PHEAA; JOHN DOE 1; JANE DOE 1, et al.

Defendants.

Civil Action No. 2:12-cv-1460

FILED

SEP 13 2012

MICHAEL E. HUNZ, Clerk
By _____ Dep. Clerk

**STIPULATION FOR PLAINTIFF MEGHAN DONOHUE
SEEKING RELIEF FROM LOCAL RULE 23-1**

Plaintiff Meghan Donohue and Regional Adjustment Bureau Inc., et al. ("Defendants"),
jointly submit the attached order seeking Plaintiff's relief from Local Rule 23-1.

The background and circumstances which establish good cause for the relief are as
follows:

STIPULATION

WHEREAS, on March 23, 2012, Plaintiff filed the instant action against Defendants
asserting her claims individually;

WHEREAS on March 23, 2012, Plaintiff served the instant action on Defendants;

WHEREAS, on April 5, 2012, Plaintiff filed the First Amended Complaint against
Defendants asserting her claims individually;

WHEREAS on April 6, 2012, Plaintiff served the First Amended Complaint on
Defendants;

WHEREAS on May 1, 2012, Defendant, PHEAA filed a Motion to Dismiss Plaintiff's First Amended Complaint;

WHEREAS, on May 29, 2012, upon stipulation and Order, Plaintiff was granted leave to file a Second Amended Complaint;

WHEREAS, on June 18, 2012, Plaintiff filed a Second Amended Complaint asserting her claims on behalf of herself and, under Fed.R.Civ.P. 23, all others similarly situated;

WHEREAS on June 18, 2012, Plaintiff served the Second Amended Complaint on Defendants;

WHEREAS on June 27, 2012, the parties entered a stipulation to provide Defendants an additional thirty (30) days to answer or otherwise respond to the Second Amended Complaint and submitted this stipulation to the Court for approval;

WHEREAS, on June 27, 2012, the Court approved the stipulation of the parties, and provided Defendants until July 27, 2012 to answer or otherwise respond to the Second Amended Complaint;

WHEREAS, on July 18, 2012 Defendant, Enterprise Recovery Systems filed a Motion to Dismiss Plaintiff's Second Amended Complaint;

WHEREAS, on July 27, 2012 Plaintiff filed her Response in Opposition to Motion to Dismiss Plaintiff's Second Amended Complaint;

WHEREAS, on July 27, 2012 Defendant, PHEAA filed a Motion to Dismiss Plaintiff's Second Amended Complaint;

WHEREAS on August 3, 2012, the parties entered a stipulation to provide Plaintiff an additional fourteen (14) days to answer or otherwise respond to the Defendant, PHEAA's Motion to Dismiss Plaintiff's Second Amended Complaint and submitted this stipulation to the Court for approval;

WHEREAS, the terms of Local Rule 23-1 require Plaintiff's class certification motion to be filed within ninety (90) days of service of the Second Amended Complaint, or by September 16, 2012, unless otherwise ordered by the Court;

WHEREAS, while the parties have met and conferred pursuant to Rule 26 and agree that filing a class certification motion by September 16, 2012 would not be practicable in this case in light of, *inter alia*, Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint and Plaintiff's desire to engage in discovery prior to filing a motion for class certification;

WHEREAS, the 2003 amendments to Rule 23(c)(1) provide that determination of whether a class may be certified shall take place at "an early practicable time;"

WHEREAS, the parties recognize that this court has the power to exercise reasonable control over all proceedings connected with the litigation to ensure the orderly and economic administration of justice;

WHEREAS, the parties further agree that the requested extension is not solely for the purposes of delay, but so that the due process of the parties is protected and so that justice may be done;

WHEREAS, the parties agree that this Stipulation may be executed in counterparts, and that the electronic signatures shall be deemed acceptable signatures for the purposes of this Stipulation.

IT IS HEREBY STIPULATED BY THE PARTIES THROUGH THEIR COUNSEL OF RECORD THAT:

Filing a class certification motion within ninety (90) days of filing, pursuant to Local Rule 23-1, would not be practicable and should not be required in this case, and that dates germane to the Plaintiff's class certification motion should be set by the Court following the Rule 16 conference.

Nothing herein shall serve as a waiver of any party's claims or defenses in this matter or be deemed to an agreement by any of the Defendants that Plaintiff shall be permitted to take discovery prior to the Rule 16 conference or prior to a ruling by the Court on the pending motions to dismiss the Second Amended Complaint.

Dated: August 8, 2012

/s/ Scott Alan George

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RESPECTFULLY SUBMITTED:

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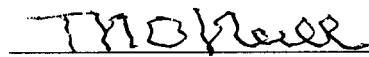
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Counsel for PHEAA; John Doe 1; Jane Doe 1

IT IS SO ORDERED.



Judge Thomas N. Oneill, Jr.

Date: 9/13/12